

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of)	Federal Communications Commission
)	Office of Secretary
Replacement of Part 90 by Part 88)	
to Revise the Private Land Mobile)	PR Docket 92-235
Radio Services and Modify the Policies)	
Governing Them)	
)	
and)	
)	
Examination of Exclusivity and)	
Frequency Assignment Policies of)	
the Private Land Mobile Radio Services)	

To: The Commission

COMMENTS OF
NIPPON TELEGRAPH AND TELEPHONE CORPORATION
IN RESPONSE TO MOTOROLA'S PETITION FOR CLARIFICATION

Nippon Telegraph and Telephone Corporation ("NTT"), by its attorneys, hereby submits these comments in response to the Commission's invitation for comment on the "Petition for Clarification" filed by Motorola on February 14, 1997 (the "Petition") in the above-captioned proceeding.^{1/}

^{1/} "Commission Seeks Comment on Motorola's Petition for Clarification of the Memorandum Opinion and Order in PR Docket No. 92-235," Public Notice, DA 97-592, released April 10, 1997.

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In its Petition, Motorola supported the Commission's policy, adopted in the Memorandum Opinion and Order in this proceeding,^{2/} allowing frequency coordinators to recommend frequencies for a system inconsistent with the adopted band plan, provided that the system will not cause harmful interference to any existing system. In articulating this policy, the Commission specifically contemplated the use of 5 kHz technology within existing 25 kHz channels.^{3/} As the Commission is well aware, NTT developed the RZ SSB™ mobile radio technology, which allows transmission of analog and digital voice, data, facsimile and slow scan video in a 5 kHz channel. Use of such equipment to create five channels within an existing 25 kHz channel will help alleviate the heavy spectrum congestion experienced in many areas throughout the United States. NTT applauds Motorola's endorsement of the flexibility given by the Commission to accommodate 5 kHz technology in the private land mobile radio service ("PLMRS") bands.

Motorola goes on to request clarification that the Commission will support such flexibility for any technology, even in the face of inconsistent FCC regulations. Specifically, Motorola seeks assurance that incumbent users of 25 kHz equipment may be permitted to deploy two 12.5 kHz transmitters. As Motorola notes, such a policy is required in order to maintain the Commission's desired policy of technology neutrality.

^{2/} In the Matter of Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Radio Services, Memorandum Opinion and Order, FCC 96-492, released December 30, 1996 ("MO&O").

^{3/} Id. at 7.

NTT supports Motorola's proposed clarification. NTT has urged throughout the course of this proceeding that PLMRS users will benefit from the maintenance of a competitive marketplace with flexible, technologically-neutral regulatory standards.^{4/}

At the same time, however, the Commission should encourage the adoption of the most spectrally-efficient equipment at the earliest possible date. As NTT has stated in its previous comments, the Commission must establish a date certain for conversion to narrowband or narrowband-equivalent technologies.^{5/} Furthermore, the Commission should encourage users to move to more spectrum-efficient systems as soon as possible by providing appropriate incentives.^{6/}

Therefore, in acting upon the Petition, the Commission should be careful to clarify that frequency coordinators may recommend operation of two 12.5 kHz channels in a single 25 kHz channel only so long as the 12.5 kHz equipment sought to be implemented is consistent with the migration policy adopted in the Report and Order in this proceeding.^{7/} That is, the clarification should not encourage use of 12.5 kHz equipment as compared to narrower band equipment (e.g., 6.25 kHz or 5 kHz equipment), and, more importantly,

^{4/} See, e.g., Reply Comments of Nippon Telegraph and Telephone Corporation in WT Docket No. 96-86, filed December 19, 1996, at 1.

^{5/} See id. at 2.

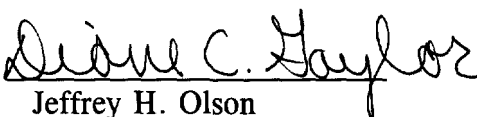
^{6/} See id. at 3.

^{7/} In the Matter of Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Radio Services, Report and Order and Further Notice of Proposed Rulemaking, FCC 95-255, released June 23, 1995 ("Report and Order")

should not relax the Report and Order's timetable for tightening the type acceptance requirements for PLMRS equipment.

Respectfully submitted,

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